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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Edlein et al
Serial No.: 09/657,679
Filing Date: September 8, 2000
Title: PRINTED ANTIFOG FILM

Group Art Unit: 1772
Examiner: M. Miggins
Docket No.: D-43378-01

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**REQUEST FOR RECONSIDERATION OF DECISION ON
PETITION UNDER 37 CFR §1.181 FROM PREMATURE FINAL REJECTION**

Applicants respectfully request reconsideration of the Decision on Petition mailed October 5, 2007 regarding Applicants' petition under 37 CFR §1.181 for withdrawal of the premature final rejection of the above-identified application.

The Decision states that the "only new grounds of rejection was for claims 107-112, which were added in the applicant's reply of May 10, 2007." (Decision mailed Oct. 5, 2007 at page 2.)

However, Applicants respectfully assert that this is not the case because new grounds of rejection were also made for original claims 1-26, which have never been amended. The final Office action mailed August 10, 2007 states the following new ground of rejection: "the alleged unexpected results are not commensurate in scope with claims 1-26." (Page 4, last paragraph.)

Applicants have asserted the *same* unexpected results evidence *seven* times in responses over five years of prosecution, as discussed in the original Petition. The "not commensurate" ground of rejection was first raised in the final Office action.

It is not fair for the Office to wait until the *final* Office action to reject the unexpected results evidence -- especially since that evidence has been at issue before the Office for five years -- because Applicants do not have an opportunity to respond to the new ground.

Accordingly, Applicants respectfully request reconsideration of the Decision and withdrawal of the finality of the Office Action mailed August 10, 2007.